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5 Attorneys for Plaintiff
6 MINNIE L. ESPINO

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 MINNIE L. ESPINO, an individual,
12 Plaintiff,

13 v.
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15 WINN RESIDENTIAL HOUSING, SAN
16 PABLO HOUSING INVESTORS, TELACU
HOMES, INC. aka TELACU RESIDENTIAL
17 MANAGEMENT, PATRICK APPLEBY,
KEVIN GRANTI, and ESTHER IOANE,

18 Defendants.
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Case No.: 4:18-CV-02729 TSH (KAW)

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21 **STIPULATION AND ~~PROPOSED~~**
22 **ORDER EXTENDING STATUTE OF**
23 **LIMITATIONS AND TIME TO FILE**
24 **THIRD AMENDED COMPLAINT**

25 Complaint filed: 05/09/2018
Second Amended Complaint: 09/10/2018
Trial Date: 06/08/2020

26 Plaintiff MINNIE ESPINO ("Plaintiff") and Defendant's WINN RESIDENTIAL HOUSING,
27 SAN PABLO HOUSING INVESTORS, TELACU HOMES, INC. aka TELACU RESIDENTIAL
28 MANAGEMENT, PATRICK APPLEBY, KEVIN GRANTI, and ESTHER IOANE ("Defendants")
by and through their counsel of record herein, hereby stipulate and agree as follows:

1. WHEREAS the parties hereto engaged in a judicially supervised Settlement Conference on
May 17, 2019, before the Hon. Magistrate Judge Kandis A. Westmore; and

1 2. WHEREAS there are certain disputed factual issues that limited informal discovery may
2 resolve without further depositions or further written discovery; and

3 3. WHEREAS the Court's deadline for Plaintiff to Seek Leave to Amend the Pleadings
4 pursuant to the Court's Case Management Scheduling Order (Docket #36) sets July 1, 2019 as the
5 deadline; and

6 4. WHEREAS should the matter not resolve with the assistance of Judge Westmore Plaintiff
7 intends to file a Third Amended Complaint including a separate cause of action and/or claim for
8 violation of the Fair Housing Act (42 USC §3604) for discrimination which statute arguably runs as
9 early as *June 8, 2019*, and/or to add a cause of action for intentional tort, and/or to provide further
10 clarifying allegations to the causes of action already pled in the Second Amended Complaint; and

11 5. WHEREAS the parties desire to continue their settlement discussions without further
12 motions or pleadings in an attempt to resolve this matter and therefore Defendants have agreed to
13 extend any and all applicable statute of limitations for any and all causes of action (including a FHA
14 or intentional tort claim) to and including August 1, 2019, with all other aspects of the Court's Case
15 Management Scheduling Order (Docket #36) to remain in effect.

16 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that any and all
17 statutes of limitations as set forth in paragraphs 4 and 5 above are hereby extended to and including
18 August 1, 2019, and the Court agrees to amend the Court's Case Management Scheduling Order

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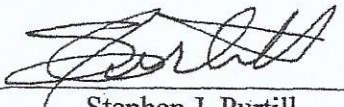
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1 (Docket #36) to set the deadline for Plaintiff to Seek Leave to Amend the Pleadings to and including
2 August 1, 2019.

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4 Dated: May 23, 2019

LAW OFFICES OF MICHAEL C. COHEN

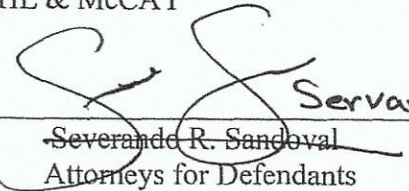
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6 By


Stephen J. Purtil
Attorneys for Plaintiff
MINNIE ESPINO

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9 May 21, 2019

PAHL & McCAY

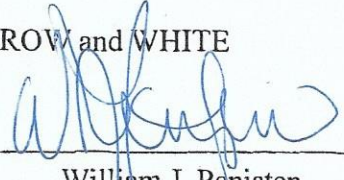
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11 By


Severando R. Sandoval
Attorneys for Defendants
WINN RESIDENTIAL, ET AL.

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14 May 31, 2019

MORROW and WHITE


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16 By


William J. Penisten
Attorneys for Defendants
TELECU HOMES, INC., ET AL.

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20 IT IS SO ORDERED

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22 Dated: **June 7**, 2019

23 By


THOMAS S. HIXSON
United States Magistrate Judge